



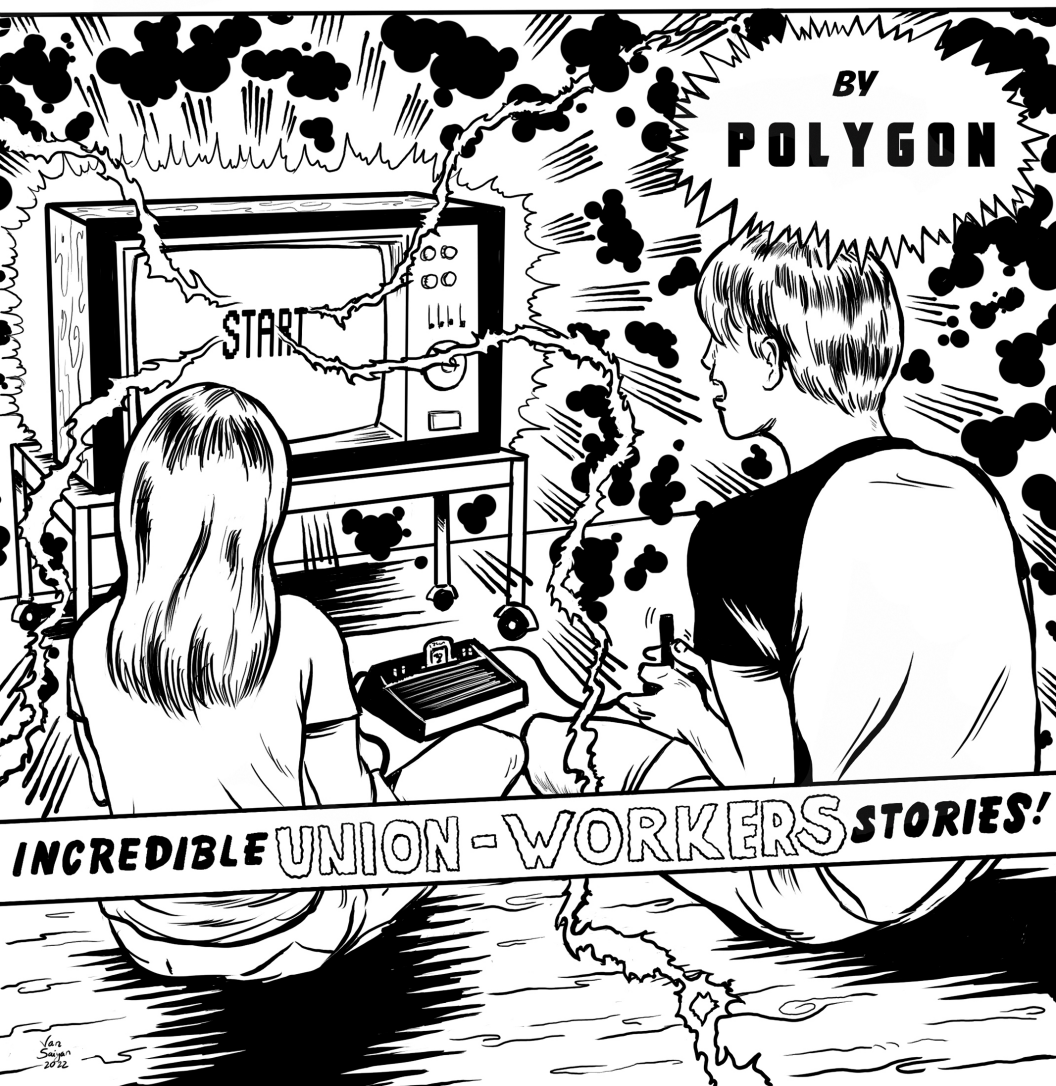
THE RISE

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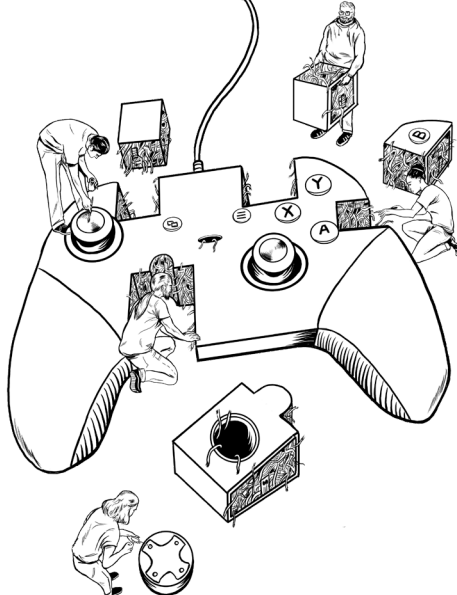
NO.1
DEC.

VIDEO GAME UNION

BY
POLYGON



INCREDIBLE UNION-WORKERS STORIES!



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Atari workers in California tried to unionize in 1984 — an attempt struck down by anti-union sentiment and by an internal hope that the games industry would be different, that the young field would eventually mend itself.

Hope didn't work.

For decades, studios across the industry and the globe, studios both big and small, have pushed their workers to the limit through low pay, brutal crunch, and discrimination. At first, we only heard about these injustices in whispers. Workers had little leverage, and employers wielded creative careers as a cudgel, saying that game developers should feel lucky to be able to do what they love.

But in the past decade, workers across all industries have rekindled that spark of collective action, fighting back against poor working conditions with lawsuits, resignations, and stories told in the press. They've made inroads. On the occasion that a company had to publicly reckon with its actions — be it sexism, racism, discrimination, exploitation, or some other mixture of misbehavior and cruelty — bosses would vow to do better. In recent years, some promises have even become realities, as some of the industry's worst offenders have invested in improvements that help them avoid legal repercussions and sliding stock prices.

Incremental change is real, and yet the games industry is still plagued by corporate mismanagement and workplace misconduct. There's still so much to be done. Unions, now finally on the rise in the field, could help make significant, sustainable change across the industry. The video game industry is following a nationwide trend: Even though union membership in the U.S. has been declining steadily for decades, there has been a recent uptick in people filing union petitions.

In conversations with dozens of workers, and through a decade of Polygon's coverage of the game industry workforce, we have heard a

consistent message: that the video game industry will not repair its systemic problems voluntarily.

And so, nearly 40 years after Atari employees began marching down this long road, workers are taking power through solidarity. They're starting unions.

This modern movement has grown from private Facebook groups to the halls of the annual Game Developers Conference to the break rooms of the biggest video game makers in America. In 2022, the industry has unions — certified unions with collective bargaining agreements securing better working conditions for their workplaces.

A union isn't a third party that comes in to fix things. It's the very people at the company who are making games. It's artists, programmers, and QA testers; writers, user interface designers, and systems engineers. Unions are how gaming workers believe they can wrest back some power and agency. *Together*. Because that's how solidarity works — when workers have each other's backs, their power combines.

As journalists, our responsibility is to bring awareness to systemic injustice, hold the powerful accountable, foster transparency, and provide the public with the information and tools necessary to improve their lives, their workplace, and the world. [Ed. note: *Polygon is part of the Vox Media Union under the Writers Guild of America, East.*] That is why we feel it's our obligation to share the story of game creators in the thick of this process — to provide service journalism in the same way we seek out collectibles and achievements in the industry's biggest games. This is simply a recognition that, for workers across the industry, the status quo has failed.

This pamphlet is neither an all-encompassing instruction manual, nor legal guidance, nor a demand that every studio unionize. What we have assembled is purely information, and for many, inspiration for a potentially better way. This is, for those interested, an overdue first step in the marathon. And those who are indeed interested should seek

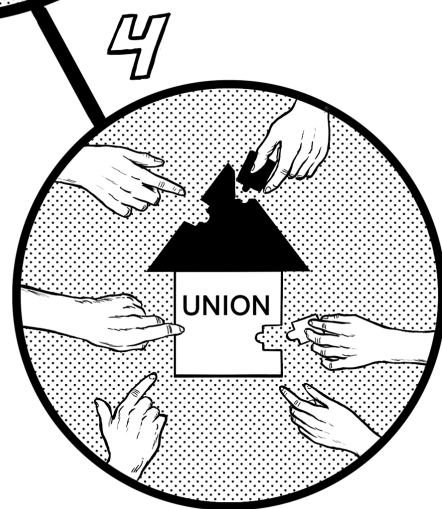
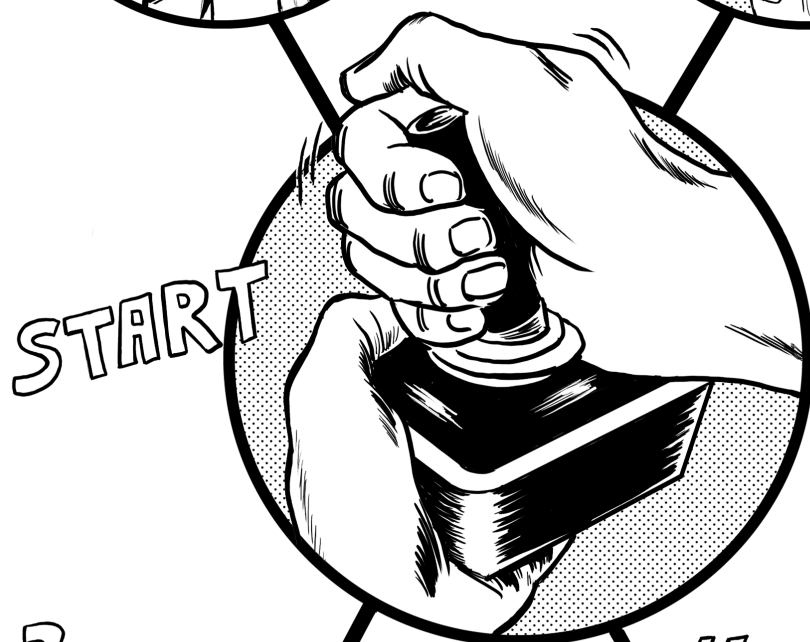
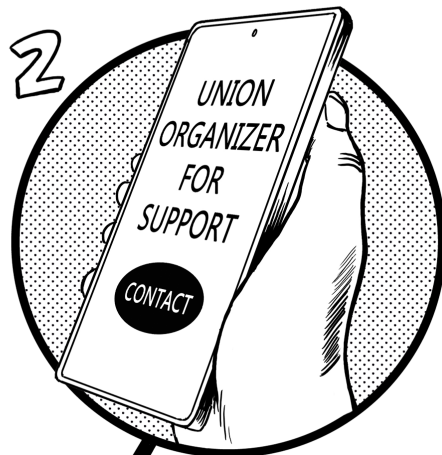
direct guidance from labor relations professionals, like lawyers and union organizations noted here and elsewhere.

Unionizing isn't easy. There is risk involved in organizing — there are legal protections against retaliation, but employees often face resistance all the same. There's also no guarantee that unionizing efforts will be successful. Some workers may not want to unionize, and that's their choice. Management can apply implicit and explicit pressure, deploying anti-union talking points and going so far as to reprimand or even fire people. The process of forming a union, winning recognition, and then negotiating a collective bargaining agreement usually takes multiple years.

A union can fall into the same issues it may be trying to address if it's not intentional in setting up a system that's anti-racist and anti-sexist. And a union won't automatically solve all of a workplace's problems, but it can help establish a framework that makes it possible to take them on.

It's a lot to take in. It can be scary. But there are people doing this work, people who are leading the way. We've highlighted a number of them in this explainer covering a complex issue, and the hope is to make the process a bit more transparent. ▼





THE FOUR STEPS TO UNIONIZATION

It takes four steps to form a union, according to the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). The steps are largely the same as they'd be anywhere else, in any different industry, even considering the video game industry's quirks. Let's explore how game workers are doing it.

While this piece is based on federal labor laws in the U.S., the principles outlined here are largely applicable to all workers, regardless of local labor law variations.

The following steps happen both individually and all at once. The process may sound complex and overwhelming, so in an effort to lay out unionization in a practical way, we will explain all four.

After dozens of conversations with developers, here's a breakdown of the steps involved and how workers are pursuing unionization.

1. STARTING THE CONVERSATION

Co-workers get to know each other to determine their shared interest.

Emma Kinema, senior campaign lead for the Campaign to Organize Digital Employees (CODE-CWA), said this first step is the most important one for workers interested in creating change at their workplaces: "Be a really good co-worker to everyone around you, and build really good, deep relationships," Kinema said. "Start with community-, relationship-, support-, and trust-building work."

In practice, this means getting to know co-workers as peers — to find out what others would change about their workplace, and also, what they love about working there. Many organizers start by probing for information on common workplace topics. Is there a problem with gender discrimination or pay discrepancies? Are employees able to share salary information with each other? Are people working overtime without overtime pay? Is work remote for now, but may not always be that way? Is management actively seeking out and supporting workers from marginalized backgrounds? A good union organizer will scope out the workplace from all angles, and they'll lead by example with

humility, vulnerability, honesty, and, most importantly, transparency.

A GOOD UNION ORGANIZER WILL SCOPE OUT THE WORKPLACE FROM ALL ANGLES

Heck, potential organizers won't lead with the word "union." When workers talk to each other, they can learn that they aren't alone with their concerns.

Even without a formalized union, this sort of transparency has given workers the power to enact change. Organizers call these sorts of interactions one-on-one conversations: a way to build relationships, identify interests and problems, and move ahead toward unionization.

Once some employees understand how co-workers feel about the workplace and the industry, grouping people together based on shared interests becomes a natural step forward. Union organizers can help make sure people are meeting regularly. They won't use work devices or communications systems to reach out to fellow employees, in case their employer is monitoring them. Instead, they'll use personal phones, email addresses, and chat servers like Signal, Slack, and Discord. These meetings can be very casual; organizers still don't have to say "union."

Workplace mapping and charting is one tool used to quickly gauge

union support among the team, and to make sure efforts are reaching all workers. This entails the organizers literally creating charts, documenting workplace concerns, determining workers' interest in organizing — making sure no one has been left out.

A union is made up of the workers; for it to work, people have to be invested in each other and in creating a better, more equitable workplace. No one else but the workers can do that for a union. This step can take a long time, and organizers say that that's OK. A solid base is key in creating a successful union, organizers told Polygon. Moving forward too soon can make things more challenging.

2. GETTING EXTERNAL SUPPORT

Organizers reach out to a union or union federation for support, whether that's a group like CODE-CWA, AFL-CIO, or another organization.

Once a shared interest in making positive changes at the company has been established, some workers will reach out to a professional union organizer for support. A group like CODE-CWA is already working to bring together video game industry workers, and may help with logistics and strategizing without tipping off bosses. These organizations have contact information on their websites to connect workers with people who are interested in seeking help.

Some video game industry workers are interested in organizing without external support — creating an independent union. Even if workers choose this route, expert organizers suggest it's important to connect with experienced organizers who can help teach tools of the trade that can be helpful in the first and third steps, like workplace mapping and charting. This process is designed to assess interest in unionization at workplaces. You can read more about independent organizing, like that of the Amazon Labor Union, later in this zine.

[Additional means of support for those interested are available in the Resources section at the end of this piece.]

3. EXPANDING THE SQUAD

The newly formed group establishes goals and a viewpoint, builds support for the union among colleagues, and gives the group structure.

This step of the process is like building a house — maybe a commune of sorts — in *The Sims 4*. Workers have purchased the lot and begun to design a dream home in their heads, shaped by the input of the others that'll live there. They'll need to expand their squad to bring in people who can help build out a floor plan and construct the walls and ceiling, making the most of their unique talents and expertise.

The important part at this stage is ensuring that everyone who will live in the house can provide input and feel heard: This is not a scenario where one Sim ends up in a pool without a ladder. In fact, the construction of the house is designed specifically to prevent that. Involving more people fosters a more democratic building process that's starting to formalize what it is the workers are trying to build.

Practically, it helps to have a subset of workers that can represent the entire union effort — both to management and with peers. This group will ideally reflect the diversity of jobs, experiences, backgrounds, and cultures of the whole unit so that all its members are represented, not a specific or dominant group within the collective.

“Be really aware of where you stand with racial and gender justice,” an Activision Blizzard engineer told Polygon. “The games industry is overwhelmingly — and even though it's changing slowly through individual actions — white, male, and straight. It's still majority nondisabled, and all other intersections.”

The Activision Blizzard worker encouraged organizing workers to think about the structures they're creating: “Are we being transparent? Are we being safe? Are we creating a space that is welcoming to women of color, nonbinary folks, trans people?”

The union itself will nominate and choose these folks, too. Whether it's through polls or votes, these representatives will work diligently to understand workers' positions and communicate them clearly on everyone's behalf. If we're still using that Sims metaphor, these people are the contractors that facilitate the house's construction — collaboratively and equally.

Having some sort of union leadership at this point is crucial as a union moves toward recognition — which is when an employer agrees to start bargaining with workers on a contract. Recognition can come quickly, but it can also be a lengthy, exhausting process that lasts months, so it's important to be prepared. Meet often, whether online or in person, to keep up momentum between workers.

4. REQUESTING FORMAL RECOGNITION

Prove the union's support to management in order to certify a union through the National Labor Relations Board (NLRB), be it a card check, petition, or election.

What is union recognition? A union is a union when it says it is. But some are working toward a legally binding union contract, and in the U.S., those unions are officially “recognized” when they're certified by the National Labor Relations Board (NLRB). An employer may choose to voluntarily recognize a union; otherwise, the NLRB will hold a vote to make sure the workplace does want union representation.

The road to recognition begins with a card check.

The card check is the official count of people interested in being represented by a union. Cards will be distributed to employees (digitally or physically), and the workers will choose whether to sign them as an affirmation of support for the union.

If at least 30% of the workforce signs union authorization cards and the company refuses to voluntarily recognize the union, then an election

will be scheduled. The purpose of the vote, held by the NLRB, is to legally force the company to recognize the union.

These steps can be delayed, and that has happened before in the video game industry. During Raven Software's union push in 2022, parent company Activision Blizzard drew out the voting process through a series of appeals and NLRB hearings to decide the scope of the union. The election was scheduled only after that process played out.

Of course, workplaces can choose to voluntarily recognize a union after a card check, too, which is what happened with *Beast Breaker* developer Vodeo Games in 2021. When Vodeo workers told their boss they wanted to form a union, Vodeo Games founder Asher Vollmer voluntarily recognized the union and skipped the NLRB vote. However, in September 2022, Vodeo Games disbanded its studio due to lack of funding; bargaining was not completed before the studio folded.

Vodeo is the exception rather than the norm. Most of the time, the process will continue with an NLRB vote. Once the election is scheduled, workers vote, secretly, with ballots provided by the NLRB. Over a designated time period, the NLRB will collect these ballots until a count is held to determine the outcome of the election.

If a majority of workers — half plus one — vote in favor of unionization, the union will be certified (barring any appeals). At that point, the chosen bargaining committee, a special group designated for the task, can move into negotiating with management for its first contract. (There are ways for a union's certification to be held up. For instance, management may want to challenge some votes as invalid. These concerns have to be filed within a week of a vote count.)

Once the company recognizes the union, voluntarily or by regulation, and the union is certified, then bargaining will begin.

Think of the negotiation process as the fifth step. Negotiations can be long and difficult, but this is where the rubber meets the road when it

comes to employees having a collective say in workplace conditions, and making sure those benefits and conditions are explicitly written into a union contract.

During negotiations, the union's bargaining committee will meet many times with management. This happens over weeks or months, with scheduled meetings agreed upon by both parties. One side will propose a contract, and the other will respond with counters or suggestions for tweaks; think of it like tracked changes in a Google Doc on actual contract language. Between these meetings, both the management side and the bargaining committee will meet among themselves to “caucus,” or talk about their next moves. This happens repeatedly until management and the committee agree on a complete contract.

What will these groups negotiate over? It depends on the workplace. Every contract is different, because different workplaces have different needs. That's why the initial steps organizers take are so important — organizers have to figure out what the workers at their particular organization are passionate about changing, and start from there. But typically, negotiations cover topics such as pay (including salary tiers, annual increases, overtime compensation, and pay equity); benefits (like health insurance and paid time off); and rules governing workplace misconduct and disciplinary actions.

The process of negotiating a contract typically has one universal goal across unions and workplaces: to improve the lives of workers by fighting for a fair share. ▼





INDEPENDENT UNION

OF GAME WORKERS

HEY
GAME
WORKER!

A **NEW FORCE**
COMES TOGETHER
WITH THE EFFORT OF
PEOPLE!

NEW!



UNION IS STRENGTH!

MAIL COUPON NOW!

INDEPENDENT UNION - UNITED STATES
Okay! Enroll me in the Unofficial Independent
Union Club and send me my unofficial membership
certificate.

NAME: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

THE INDEPENDENT UNION OPTION

Workers don't need a contract or to be partnered with an established union to be unionized. There's an alternative approach that doesn't even require a union to be registered with the National Labor Relations Board: going independent. It isn't easy, but for some workers, it may be the best — or only — option.

Some independent unions operate without a legal contract, solely using the collective power of the workforce to make changes within the workplace. Other independent unions do work toward legal contracts, and those operate just like typical unions.

An example: The Alphabet Workers Union at Google's parent company, Alphabet, which has more than 1,100 members, is affiliated with the Communications Workers of America, but does not have a contract. Its members reject the notion that a union isn't a union without a contract, and feel they can still demand change. The group has had a number of successes, like when data center workers won back a bonus that had been taken away, or when the union took collective action to stop the company from deadnaming a trans employee on his Google badge.

"Workers keep the company running with our labor every day, and our power comes from our ability to collectively cease that labor if our employer will not bargain with us—we just have to collectively understand and wield that power," an Alphabet Workers Union representative wrote on its website. "We can make a material difference in our workplace and show solidarity with one another. It comes down to showing up for each other, talking about our problems, and learning

how to act in concert. A contract can be a great tool to make wins for workers concrete and permanent, but it isn't the only tool in our toolbox at our disposal."

Google, for its part, has more than 100,000 employees, according to recent data. That means that in order for a union there to be formally recognized, thousands of employees would need to express support for unionization. Working without a contract, the Alphabet Workers Union hopes to begin creating change now, long before a recognized union is viable.

**"WE'RE A LARGE
COLLECTION OF WORKERS
WHO ARE ALIGNED AND
WILLING TO FIGHT
FOR THE TYPES OF
JUSTICE WE SEEK"**

To be clear, unionization without a contract doesn't provide the same legal protections, but collective power can be just as effective — a workplace doesn't operate without its employees' labor. That's powerful, and has already

worked across the video game industry, like when *Lovestruck Choose Your Romance* workers went on strike and won better pay, without a recognized union, or when employees at both Riot Games and Activision Blizzard walked out of work to call for better working conditions.

"The most core value, to me, is that we became a union when we said we were," a Blizzard Entertainment worker told Polygon. "It's not like we needed to be legalized and recognized in the United States. No, we're a large collection of workers who are aligned and willing to fight for the types of justice we seek."

On the other hand, the Amazon Labor Union is an independent union that's bargaining for a contract. The union was founded by labor activist

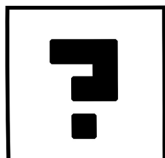
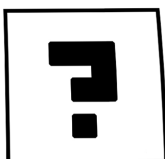
and former Amazon worker Chris Smalls, and had no traditional union help. That worked for the union when traditional organizing didn't. The group hired a pro bono lawyer to assist, and "it borrowed office space, supplies, and strategy from traditional unions," according to the New Yorker. All of that helped in the places where traditional unions are particularly beneficial; they have so many resources, both financial and legal, that can be harder to obtain for smaller unions.

Workforces that sometimes consider the independent union route:

- groups that already have the resources — money, time, and people (experts, lawyers, support, etc.)
- groups that work for a large company with lots of differently classified employees, including part-time and contract workers
- groups that want total autonomy from outside partners ▽



SELECT PLAYER

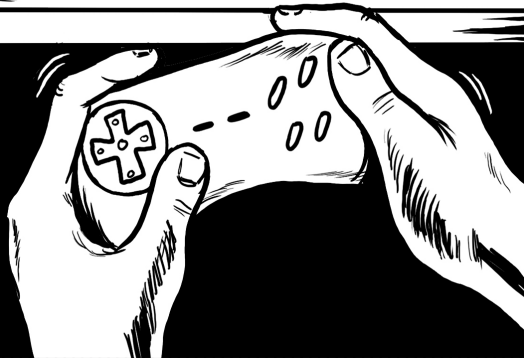
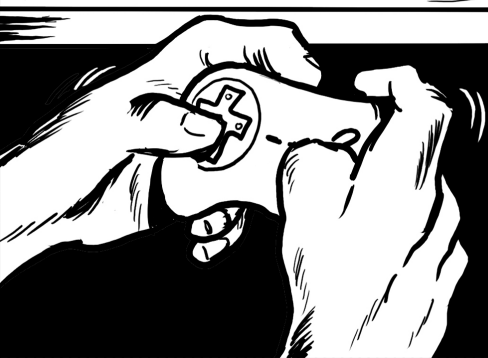


PLAYER 1

★★★★★ ENTHUSIASM
★★★★★ IMAGINATION
★★★★★ TEAMWORK
★★★★★ CREATIVITY

PLAYER 2

★★★★★
★★★★★
★★★★★
★★★★★



"WHY I WANT A UNION"

We've granted several workers anonymity so they can speak freely on their union efforts and workplace concerns without hindering those efforts.

TO MAKE CHANGE

One [reason games unionization] blew up so quickly is that these problems have been known for a long time — like, the entire five years that I've worked at Blizzard, we've known about sexual harassers and the working conditions for QA. We've been trying really hard to get things changed for the better.

I've seen people come and go from Blizzard who came in believing that they could make change, and then left disheartened. I've seen dozens of people leave because they didn't believe change was possible within Blizzard. I think the large part of why you're seeing people take action is that we're finally, all together, realizing that if change is going to happen, it's going to have to come from us. We can't wait for it to come from on high, because they're not going to do it.

—Valentine Powell, former Blizzard Entertainment engineer

WORK FROM HOME

I've had union workers in my family for over 30 years. My dad worked in the Power Workers' Union. I had seen the power that they could have over the workplace. But I'd never actually been in a union before now.

We submitted [the Alberta Labour Board application] on April 20. That Friday, we had executives from Keywords Studios flying to Edmonton.

But at that point, it was already too little, too late, because most of the individuals were already signed onto the union.

What really resonated a lot with our members leading up to the vote was how their actions were already improving the workplace. We were supposed to be back in the office in mid-May, which was a huge deal for a lot of us. Just being able to say, “OK, we’ve gotten together, we’ve submitted an application, and now we’re continuing to get to work from home [because we pushed back]” — we’re already seeing the benefits of working together.

It was like, *Oh, look at the power we have. We can drive these changes.*

—**James Russwurm, Keywords Studios QA worker**

CREATING COLLECTIVE POWER

Unionizing, for me, is about having a group of highly aligned folks who all agree on fundamental principles of racial, gender, and other types of justice, regardless of the specific form they take, and obviously tailored to the games industry. We can lend our collective power to other struggles.

Through a union, it’s a mechanism that allows us to take direct action against injustices, whether that’s someone being harassed, or if management retaliates, or if a Black co-worker is mistreated and it goes unnoticed. It’s also about the active cultural creation of people who are aligned. Our industry is steeped in not just overwork and crunch and mismanaged timelines and other exploitations, like that of QA workers, but connecting those fundamental labor issues to the larger picture of the racial and gender struggle.

—**anonymous Activision Blizzard engineer**

FAIR PAY

You do your yearly evaluation and you hear how great you did that year. Maybe you get promoted. But oftentimes, you’re told there’s another year before being promoted — that you’re performing significantly

above what they expect from your position, but they expect you to spend another year doing the next job title's description before they will actually give you a pay raise.

I've gone along with that system for years. Recently, I got a raise [that didn't meet inflation levels]. I was really annoyed. I had to negotiate myself a pay raise for the first time in nine years. If I had a union, I probably would have gotten a bigger pay raise, and I wouldn't have had to fight as hard as I did for it. I wouldn't have had to go and find other job opportunities, and go through the interview process elsewhere, and get figures on the position, and decide whether or not I was going to take it.

If I had a grievance, I could use the structure of the union to raise it.

The whole point of the union is to give you a framework to organize. You can say, "Hey, I'm upset that I didn't get promoted this year. They've been telling me for three years I was going to get promoted." Chances are, they're doing it to other people. You can talk to your co-workers, and with a union, you can leverage that power.

—anonymous Activision Blizzard designer

SAFE WORKING CONDITIONS

The moment that we started the ball rolling on unionization was really when it looked like it was becoming even more unsustainable to live off our wages (which is typically not much more than minimum wage here). After working at home during the pandemic for around two years, we were informed that it was going to be mandatory to work in the office. While the client studio we work for does have more flexibility about hybrid work and the impact it would have on them, we were informed that there would be no further support given to offset the new costs of getting to work. I was also concerned that with no options to work from home, and a very reasonable studio policy that you should not come to work if you have COVID symptoms, meant that if you got sick, with COVID or otherwise, you could be missing out

on weeks of pay. We have no sick leave and I typically try to save my vacation days for periods of complete studio shutdowns where we may or may not be paid. Doing the back of the napkin math on the average cost of living here, those extra costs could have easily put workers in a position where they would have to choose between gas to go to work or groceries.

Although that was the catalyst to get us to start talking about unionization, once we started talking about our current issues I definitely realized some of the issues I was feeling were definitely felt across the team. We were able to share information and realized we were being paid much under what other workers doing similar jobs at different studios in the same city, and that many of us had taken on more responsibilities without a pay raise or title change to reflect that. Eventually, once we officially submitted to unionize, they rescinded the return to office requirement, which I think really showed us the power of a union in getting our employers to listen to our concerns.

—*anonymous QA worker*

TO SUPPORT MY CO-WORKERS

After layoffs, I ended up connecting with another teammate, and we started a Discord. We were like, *OK, there's going to be more coming*. We saw the company careening towards a financial wall — no one was paying attention or giving it a second thought. We were seeing what the news was saying [about a recession], and we were like, *This doesn't look good*. [The company] didn't care.

We started organizing on Discord. We got a band of, like, five to six people that ended up growing to 50. We weren't trying to do anything crazy, just set up a safety net for ourselves. We were trying to get some worker power, so we could lead this in a safer direction. We were predicting another layoff, and we wanted to prepare for it this time. We built some infrastructure. We set up job boards and resume review channels. We were trying to set up housing assistance and provide resources during a really tough time.

After another round of layoffs, we started passing out the Discord invite further. Even if they weren't interested in organizing, we wanted to support people and make the transition easier. We want to be an alternative to management. We want to help provide the things that management is failing [to provide]. It's still happening, and it's amazing to see.

—*anonymous concept artist* ▼



CO-WORKERS:



MANAGEMENT:



HEY!
GAME WORKERS
UNION NOTIFICATION!!!

FANS:



HOW WORKERS TALK ABOUT THEIR UNIONS

To misquote Hemingway, “How do you form a union? Gradually, then suddenly.”

You’ve likely heard about the ongoing unionization efforts at Activision Blizzard, which employs approximately 10,000 workers. The effort gained unprecedented traction following the California Department of Fair Employment and Housing’s sexual harassment and discrimination lawsuit against the company. As reporters and government investigations exposed details, including the alleged extent of CEO Bobby Kotick’s knowledge about studio culture, workers across the publisher’s many studios and projects came together through unofficial channels, like Discord and Slack, uniting formerly independent organizing efforts.

But workplaces don’t need a nationally covered lawsuit to spark union talks. All it takes is a chat among co-workers — to get to know each other and their feelings in the workplace, including how it can be improved. Whether it’s at the biggest publisher or the smallest indie studio, a union is made up of and run by the workers at a company, and for things to change, the workers have to want it. No one else can do that work for a union.

Here’s how some organizers have started conversations with their co-workers, their employers, and fans.

WITH CO-WORKERS

Talking about unionization can be scary for those interested in organizing.

Yes, unionizing, and talking about unionizing, is legally protected in the U.S. by the National Labor Relations Act, but the Communications Workers of America suggests keeping these conversations away from work areas — including company messaging systems and devices and physical offices.

Though it's illegal to retaliate against workers who are organizing, some companies do it anyway — the NLRB has charged Activision Blizzard, for instance, with threatening employees. The fear of upsetting management, facing union busting, or risking job security is justified. “If your employer finds out, especially when you are in the beginning stages of identifying key workplace issues and building union support, your road to success will be much more difficult,” CWA representatives wrote in the organization’s “How to Organize” guidebook. Organizing workers eventually have to talk about the union *with their employer*, but this will be when the union is ready to go public.

To minimize anxiety, some organizers advise beginning the unionization process without saying the word “union.”

“Don’t use scary words,” an organizer with Game Workers of Southern California told Polygon. “I start with my co-workers and just sit down, like, *Hey, do you want to grab a beer after work?* or, nowadays, hop on a Zoom call. Being able to empathize and give [your co-workers] an opportunity for catharsis, independent of union organizing, is just healthy, and a lot of people need that, especially these days.”

They continued: “We’ll start talking, like, *Cards on the table: I’d like to change some stuff. I think if we worked together and went to the boss, we could probably get him to change his mind.* That tends to get people on board. If I said, ‘Hey, let’s form a union,’ that’s scary. Legal votes, a

lot of stuff.”

From there, workers talk with each other and compare concerns: What’s going wrong, and how can it change? With shared goals, a group of employees can start working together to create a more equitable workplace, regardless of whether they’re recognized as a union. More support means a more powerful union, and part of the process is outreach — talking to more and more people about how a union could benefit them.

It isn’t always easy. There are typically difficult conversations and conflict within groups. An Activision Blizzard worker told Polygon that their push hasn’t been perfect, and there are decisions that some organizers would change. This is hard work: Forming a union means building out structures that will challenge what’s established at a specific company. The Activision Blizzard worker emphasized taking things slow and creating a solid base of support before going public on social media or elsewhere

***THIS IS HARD
WORK: FORMING A
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AT A SPECIFIC COMPANY***

— not all unions have to pursue PR opportunities, and before going public, the Activision Blizzard worker advised, they shouldn’t. Unions can make huge progress while quietly doing the work of organizing.

But of course, as more workers get involved in the conversation, management will be more likely to hear the rumblings of change.

WITH MANAGEMENT

In general, individual workers don't talk to management about unionization.

Instead, they'll usually contact a union organization to help start the process, and that group will guide workers on when and how to bring the effort to management. Not all organizations are the same, so each union has to consider its options and how they align with the team's needs. Some workers may choose to go with a larger, national group like Campaign to Organize Digital Employees (CODE-CWA), a space that's focused on tech workers. But workers at Keywords Studios wanted a union representative that was smaller and more local, which is why they went with the United Food and Commercial Workers Canada. For independent unions, the process works the same — but without that external legal support built in.

The next step is signing authorization cards or a petition, which demonstrates to management that at least 30% of eligible workers want to unionize. However, union experts recommend building much more support than that, especially if management may object. A supermajority of workers supporting a union effort strengthens its position when going public.

At this point, organizing workers are usually ready to approach management to request recognition or kick off a National Labor Relations Board vote. This happens in an official capacity, and probably with assistance from a larger union — if employees are working with one at all. For Raven Software, that's CODE-CWA, and for BioWare contractors at Keywords Studios, that's UFCW Canada, Local No. 401. An independent union would likely hire legal assistance to help with this step.

Note that management can voluntarily recognize the union if at least 50% of workers have signed cards or petitions. But that's uncommon, and workers generally plan on the assumption that recognition will



not be immediate.

From this point in the process forward, most members aren't involved in talks with management about the union. It's not that there isn't communication with management throughout the process, but instead, the union talks to leadership with a collective voice. Workers on a bargaining committee speak to the whole unit to determine what's important to them as a union, and the small group eventually brings those issues to management.

Union groups like CODE-CWA or UFCW Canada help facilitate this process and provide support, but workers as a whole communicate together through this single voice, working toward their first contract.

WITH FANS

Once an organizing campaign has gone public, there are ways for fans to help, and ways for developers to communicate appropriate methods of assistance to those fans. People really, passionately love video games, and a lot of folks want to support the people making them.

However, before union efforts go public, workers shouldn't talk to fans about union interest or active organizing, CODE-CWA senior campaign lead Emma Kinema told Polygon. "It's a needlessly risky move," Kinema said. "There is a time and place for mobilizing fan support. We did that in the Voltage writer strike, and it was a successful tactic at Riot during the walkout, but it is not safe or tactical to do outreach to fans before you have an extremely solid organizing foundation within your studio and you are nearing going public."

When a shop does go public, having a social media presence representing the union can be helpful — it prevents the responsibility of the union's messaging from falling on an individual. Workers from Activision Blizzard, Riot Games, Vodeo Games, Ubisoft, and others have Twitter accounts to help spread the word straight from union representatives. Support on social media, and messages tagging official company channels, can be one effective way to get fans involved without stepping over any lines.

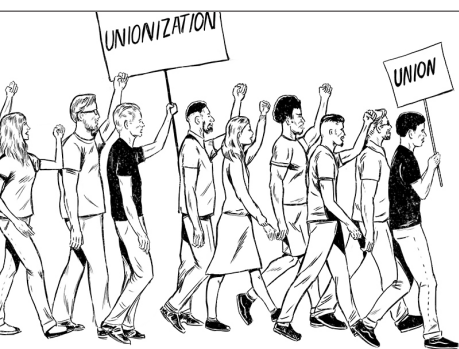
"Social media support is genuinely really helpful," an organizer from Game Workers of Southern California told Polygon. "Both practically for getting information out there, and emotionally — for instance, for [Activision Blizzard] workers, they're going up against a multibillion-dollar company. That's intimidating. Having support from folks is huge."

One of the biggest misconceptions is that a boycott is the main or best way to support workers, when in reality, it's rarely needed or beneficial. The general consensus among union experts is that fans should follow the lead of workers, which is why organizers recommend

communicating to fans through a single source — a dedicated social media account.

Kinema said it's important to share reasons why the industry is unionizing — to talk about working conditions so that fans can understand the labor issues at play. But it's not the focus of organizing.

“Some players might be confused or upset or apathetic about game workers trying to organize unions, but ultimately, the primary thing is working to build relationships with our co-workers and getting them on board with organizing,” Kinema said. “Ultimately, the sentiment of the players doesn't significantly impact the organizing happening within a specific company, but it can complement it and support it down the road.” ▼





UNION NEGOTIATION COMMITTEE



MANAGEMENT

HOW COMPANIES RESPOND TO UNIONIZATION

Regardless of when officials in management learn about an organizing effort — and regardless of whether they support it — they will begin putting together their own team to deal with the union. How that plays out depends on the company.

Some will hire powerful law firms to help sway the vote out of favor, while others may support workers' right to unionize but slow-walk negotiations. Of course, there's always the chance that the workplace will choose to voluntarily recognize a union, which is what happened at Vodeo Games in 2021. Workers there approached management with proof of union support across the company, so there was no need for a vote. Vodeo founder Asher Vollmer outwardly supported the effort. In a statement, he called Vodeo Games “a proud pro-worker studio from its very inception.” Still, Vodeo Games management, like that of other companies, had to put together a bargaining committee of its own to negotiate with the union.

For organizers, this is the best-case scenario, a situation in which workers don't have to fight management just to be recognized; the two sides of the workplace work together to ensure things are equitable through collaborative negotiation.

More often than not, however, management pushes back on or questions union efforts to varying degrees. Union busting is when a company starts an outright *campaign* against unionization efforts. The

goal of these campaigns is to influence union elections, specifically by swaying folks toward voting no.

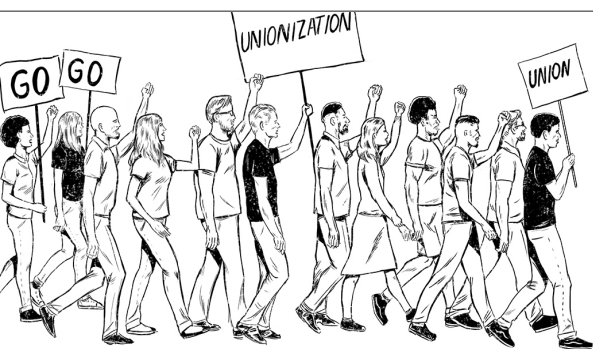
If lawyers are hired by companies to dissuade employees from unionization, they won't identify themselves as union busters; sometimes, they call themselves union avoidance firms. A lot of the tactics of those firms are similar and easy to spot. CWA put together a Union Busting Playbook, which outlines different ways in which companies try to influence unionization efforts, such as making new promises, hiring union consultants, pressuring workers, and delaying elections or negotiations for the purpose of avoidance. There's a common "script" that union busters use, CWA says — saying that unions will ruin a "family" environment in the workplace, or claiming that a union will take away workers' ability to make decisions for themselves. Employees who are suspicious of these or any other management claims should refer to the CWA's guide.

Raven Software QA workers, who announced their union effort in 2022 as Game Workers Alliance, accused their employer, Activision Blizzard, of engaging in a campaign of union-busting tactics: reorganizing QA staff in an alleged attempt to reclassify workers and break up the union; holding "captive audience" meetings wherein management allegedly spread anti-union messaging; reportedly withholding raises from organizing workers; and repeatedly appealing NLRB decisions. (Activision Blizzard, for its part, said NLRB rules don't allow for raises during the unionization process. In October 2022, the labor board found merit in a complaint from CODE-CWA that accused the company of illegally withholding those raises.) Drawing out the process unnecessarily is another common union-busting strategy, organizers said, a technique that slowly wears down unionizing workers.

Organizers told Polygon that unionizing workers can lean on their colleagues for solidarity during that time, and continue to familiarize themselves and others with the protections and facts laid out by the NLRB.

Between support and union busting, there are companies that choose to be neutral. Microsoft signed a union neutrality agreement with CODE-CWA in 2022 as a way to ease unionizing Activision Blizzard workers into the company after Microsoft's proposed acquisition of the publisher closes. A neutrality agreement means the company promises to accept any potential union efforts; it won't try to stop them from happening. This doesn't mean that unionizing won't be a challenge, however: Unions will still have to negotiate a contract, and that can get heated regardless of neutrality.

Management will react on a spectrum, and there's no telling where a company might land. Organizers suggest it's worth being prepared for the worst outcome, while hoping for the best. ▼





NEGOTIATION IS A LONG PROCESS

A union that's come this far has done a ton of work. Let's recap:

Workers have made real progress, and may have already used their collective power to effect change. They've built support for their union efforts and likely have held an election to affirm that workers want a union. Change has probably happened already — maybe communication has improved among peers, or management has begun to informally respond to the workers' shared concerns. Some groups will stop here and continue to rely on that collective power, but others find it important to get a contract in writing.

A union contract, also known as a collective bargaining agreement (CBA), is the only legally binding way to ensure that management keeps its promises of a fair workplace. Of course, since a CBA is a contract agreed upon by two parties — employer and union — both sides must adhere to its terms and conditions.

Negotiating a contract that both the company and the union can agree upon often takes a long time. New unions take an average of 409 days — more than a year — to hammer out their first CBA, according to Bloomberg Law. It would be untenable (and anxiety-inducing) for every member of a union to participate in this step; that's why a bargaining

committee is selected at this stage, if one hasn't been formed already.

A union bargaining committee is a group of workers that represents the entire union — also known as the bargaining unit — during the negotiation process with management. These folks talk to other union members and gather information about what they want to change (or solidify, in the case of something people already love about their workplace). Such issues can include equitable pay, fair working conditions, management training, diversity and inclusion goals, and a four-day workweek.

No outside firm can create these goals or initiatives; workers negotiating the contract choose what to fight for. The bargaining committee will turn the workers' needs into proposals to present to management, and management will do the same in return.

The law requires both sides to bargain “in good faith,” which essentially means that they need to make a sincere effort to negotiate. Meeting regularly with reasonable timelines and not “bypassing” the committees in negotiations are two ways to define that, according to the NLRB, but there are plenty more.

Negotiations don't always take a whole year or longer, but organizers are usually prepared for a drawn-out process involving numerous meetings with management. People on the bargaining committee act as messengers between fellow workers and the company. It's natural that as negotiations proceed, each side abandons some of its proposals in an effort to compromise with the other party and come to a deal. What a newly recognized union fights to get into its contract and what it concedes during negotiations will differ from workplace to workplace, depending on the needs of a team, the financial flexibility

of the company, and representatives' ability to come together on a final agreement. The bargaining committee has a duty to stay in touch with the wider union during the process so it can continue to represent the interests and desires of the unit.

Unions also have legally protected ways to encourage management to come to the table and make concessions. Sometimes, this takes the form of a public display of solidarity between workers — like an entire workforce changing its Slack or Twitter avatars to the union logo, or encouraging

supporters to write letters backing the union to a company's CEO. These actions can happen over months, weeks, or days, depending on where a union is in the process. Escalation may continue if a majority of workers support it, leading to more significant collective actions, such

THE LAW REQUIRES BOTH SIDES TO BARGAIN "IN GOOD FAITH," WHICH ESSENTIALLY MEANS THAT THEY NEED TO MAKE A SINCERE EFFORT TO NEGOTIATE

as a strike. During a strike, union members will stop working for a period of time. A strike can be issued for a single day, or as long as necessary until a contract is secured. When *Lovestruck Choose Your Romance* workers went on strike in 2020, it lasted for 21 days before they came to a deal with management. *Call of Duty: Warzone* QA workers at Raven Software also went on strike for nearly two months in the lead-up to their union run.

A strike is a major action that's not without risks, which is why it's typically the last resort for a union. Employers can choose to withhold pay, replace workers, and discontinue healthcare during a strike. Unions may set up strike funds to provide assistance during a work stoppage — for their part, Activision Blizzard employees raised more than \$380,000 to support striking workers. Just the looming possibility of a strike can be scary, which is why it's vital for union members to support each other throughout the process.

The purpose of a strike, from a union perspective, isn't in and of itself to cease labor. If a strike is called, the objective is to apply pressure on management through disruption and financial impact, thereby forcing a change in the company's stance. The overarching goal is for everyone

***THE OVERARCHING
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NEW CONTRACT***

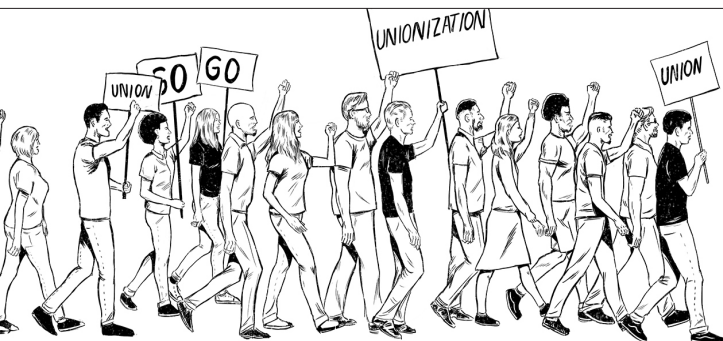
to return to work with an agreement on a new contract. We've seen how powerful this move can be in the gaming industry. Video game voice actors under the Screen Actors Guild-American Federation of Television and Radio Artists (SAG-AFTRA) union famously went on strike against 11

American game studios and publishers in a work stoppage that began in 2016 and lasted for a year, the longest strike in SAG history.

When management and a bargaining committee agree on a contract, the whole unit will get to vote on whether to ratify it. If a majority

votes yes, then the contract goes into effect. If the workers vote no, then it's back to the bargaining table.

The work of a union doesn't end when a CBA is ratified. Committees still check in with fellow workers and meet with management periodically to ensure the new contract is being upheld, and groups of workers will still be around to show collective support. But the most difficult steps are over. ▼



PLAYER 1: PROGRAMMER



PLAYER 2: DESIGNER



UNIONIZATION

90%

PLAYER 6: DESIGNER



PLAYER 3: CONCEPT
ARTIST



PLAYER 5: CONCEPT
ARTIST



PLAYER 4: PROGRAMMER



HOW DOZENS OF GAMES UNIONS COULD FORM A UNIFIED FORCE

Gaming is part of the entertainment industry, but don't expect video game unionization to look like sibling unions in Hollywood.

The film and TV industries move quickly, and production is usually measured by weeks or months rather than years. People move to different projects with a relatively predictable cadence. As a result, entertainment unions, for the most part, are organized not by company, but by job: Actors, writers, directors, and film crews all have separate unions that represent their positions.

Video game projects and studios, by comparison, operate like traditional workplaces: People move around, but full-time workers typically stick with projects through yearslong development cycles that, with the increasing popularity of live-service games like *Fortnite*, can go on indefinitely. That's why the majority of game workers are opting to unionize on a shop-by-shop basis; these workers seek to have a stake in a particular company's workplace.

Game unionization has seen workers building up and applying for union support within their own companies — artists, producers,

designers, and others coming together for the shared cause of creating a more equitable and sustainable workplace.

These unions will have influence over their individual workplaces, but their independence comes with two obvious limitations: scale and strength. Whereas a union like the Screen Actors Guild can represent tens of thousands across the film and television business, and take collective actions that bring the industry to a halt and force change, a union at a game studio has a say only in that studio.

For game unions to achieve industrywide change, dozens of studio shops will need to cooperate.

Think of Game Workers Unite and Game Workers of Southern California like glue. These two volunteer-run groups bring together separate union efforts and ideas from across the nation. They are not unions themselves; rather, they're a binding agent, a place for union supporters and organizers to gather in person and online.

These groups hold meetings a couple of times a month, where folks can meet new allies and share strategies, but they also share and spread information online, like practical guides to unionizing. Organizations like these are important in creating a collective force that spans individual studios or workplaces and pulls workers into a larger movement. They function as support spaces for individuals looking to unionize their workplaces — groups of people aligned in doing the work of unionizing the industry, uplifting individual efforts with information and support. They help make connections, but cannot themselves do the work of unionizing specific workplaces.

Groups of workers looking to unionize at their individual studios will

likely want to choose an established union organization to partner with for support. Unlike Game Workers of Southern California or Game Workers Unite, these groups, such as the Communications Workers of America or United Food and Commercial Workers Canada, are equipped to support unions in the legal process of unionizing, including dealing with labor relations boards. It's possible to unionize without an official union organization, but game union experts advise against that path; CODE-CWA senior campaign lead Emma Kinema said it's crucial to lean on others with existing experience rather than going it alone. Even if certain organizing workers believe the independent route is ideal for them, Kinema recommends soliciting help from an established union that's familiar with the video game industry.

"Let's not fracture our movement," Kinema told Polygon. "Workers are weaker when we are divided. If you want to build a strong, powerful labor movement, join where your co-workers and fellow peers in the industry already are."

***FOR GAME UNIONS
TO ACHIEVE
INDUSTRYWIDE
CHANGE, DOZENS OF
STUDIO SHOPS WILL
NEED TO COOPERATE***

The hope among Kinema and other union activists is that as more unions form, and align their goals, the impact of unionization could extend to nonunionized shops. If enough video game industry unions collectively gain that power, it could impact the industry as a whole.

As unions are established within a certain field, there's evidence that

they can help improve that industry in a broader sense. Researchers from pro-union think tank the Economic Policy Institute found that high union density in an industry helps increase the floors for wages and benefits. Should companies in an industry raise their standards — such as by offering higher pay and making specific, demonstrated transparency efforts — these benefits will have a “‘spillover’ effect,” researchers said, to nonunion employers. If a company wants to keep its employees and find new, diverse candidate pools, it will have to meet the basic standards provided at union jobs. Of course, union jobs

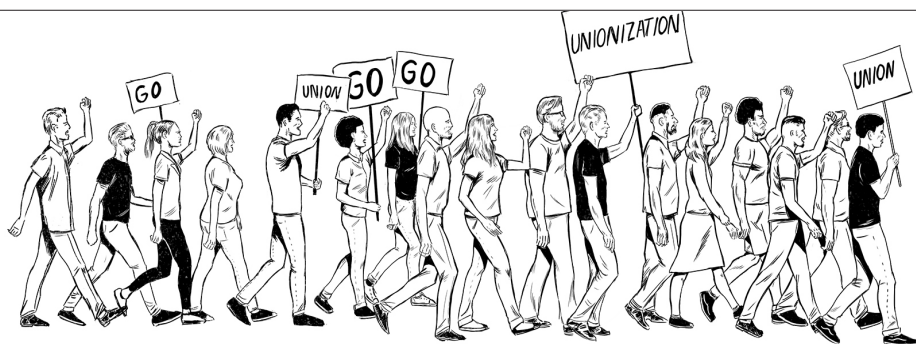
AS MORE UNIONS FORM, AND ALIGN THEIR GOALS, THE IMPACT OF UNIONIZATION COULD EXTEND TO NONUNIONIZED SHOPS

are not common in the video game industry right now, but workers have grown vocal in their efforts, seeking out workplaces that offer flexibility and better benefits.

As improved working conditions become more commonplace across an industry, employers feel more pressure to follow suit, if they want to recruit and retain talent. The biggest, most

powerful video game companies are following tech giants like Apple and Meta in offering all sorts of amenities and perks to attract workers — likely because they know they must compete with these companies for talent. But both industries have another thing in common: a major lack of organized labor. Union advocates we spoke with believe that

companies with union protections and improved working conditions may make the game industry more appealing, perhaps even eclipsing progress in the tech field when it comes to attracting and retaining workers. A rising tide can lift all boats — for workers, employers, and the entire video game industry.▼



GLOSSARY

The terms and phrases below are listed in alphabetical order.

action: In the context of collective bargaining, an action is a display of solidarity that you and your co-workers make to demonstrate your togetherness. The best-known action is a strike, but that's the last resort. Actions can include changing your Slack avatars, tweeting about why you need a union, organizing a public campaign for letters written to the CEO, or marching in a protest outside your workplace.

bargaining agent: The bargaining agent is the union organization that your workers partner with to help with the process and represent you in interactions with management. Examples include the Communications Workers of America, the American Federation of Teachers, and the Teamsters.

bargaining committee: A group of workers designated to represent union members, typically on a volunteer basis — though some unions may choose to have an election. The bargaining committee is formed after a union is officially recognized, and it speaks on behalf of the full bargaining unit during negotiations with management for a collective bargaining agreement.

bargaining in good or bad faith: Bargaining in good faith means you're sincerely trying to come to an agreement with the other side. In bad-faith bargaining, you don't have that intention — and it's illegal. Good-faith bargaining is defined as being willing to meet “at reasonable times,” according to the National Labor Relations Act, and to negotiate over terms of a contract, like wages and compensation. An example of bad-faith bargaining is when one side continually cancels meetings or attempts to bypass the union organizers.

bargaining rights: The collective right of a group of workers to unionize and negotiate over the terms and conditions of their employment through a representative of their choosing.

bargaining unit: A group of similarly situated workers that are, or are looking to be, represented by a particular union. There may be multiple bargaining units, represented by various unions, among a company's workforce.

boycott: A boycott is a refusal to use or purchase a service or product.

captive audience meeting: Company meetings that are considered mandatory wherein management can talk about unionization, like the NLRB process or negotiations. Labor organizers typically call these meetings a union-busting tactic that employers can wield to spread misinformation through anti-union talking points.

card check: A process in which employees sign forms, or "cards," stating their intent to join a particular union and authorizing that union to represent them in collective bargaining. If a majority of the bargaining unit signs cards, the union has won and must be recognized by management. Card check is an alternative to an NLRB election.

certification: A certified union is one that is recognized by the National Labor Relations Board or relevant governing body.

collective bargaining: The process by which unionized workers negotiate a contract with their employer.

collective bargaining agreement: The contract governing the terms and conditions of employment for unionized workers in a particular bargaining unit. A CBA results from negotiations between an employer and the union representing a bargaining unit. Once both sides have ratified a CBA, they are bound by its provisions for the duration of the contract.

concerted activity: A legal term that refers to efforts undertaken by two or more employees to discuss and/or advocate for improving their working conditions. Concerted activities are protected by law, allowing workers to partake in them without retaliation from their employer. Activities include “self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection,” according to the National Labor Relations Act. You don’t have to be in a union already for protections; they’re just there.

lockout: A lockout is when management digitally and/or physically locks employees out of work. A lockout can be an opening salvo or a response to a work stoppage. For instance, Major League Baseball instituted a lockout of its players in December 2021 upon the expiration of their previous CBA; the players union had not gone on strike.

National Labor Relations Act: A landmark U.S. labor law passed in 1935 that protects the rights of private-sector employees to unionize.

National Labor Relations Board (NLRB): The federal government agency that enforces U.S. labor law, including by overseeing union elections and litigating unfair labor practices.

NLRB election: An official vote, overseen by the NLRB, in which employees decide through secret ballots whether they’d like to unionize.

organizing committee: A group of workers designated to represent members of a bargaining unit, typically on a volunteer basis — though some unions may choose to have an election. The organizing committee is formed before a union is officially recognized, and it plays an important role in pushing the initiative forward.

picketing: A way to protest wherein people gather at their workplace with signs.

rank-and-file: Rank-and-file workers are all workers that aren't leadership or management.

strike: A refusal to work for an indefinite period, and often the last tool a union uses to encourage an employer to meet its demands. The National Labor Relations Act protects workers' right to strike, though there are rules and limitations.

unfair labor practices: Actions taken by an employer or union that violate the National Labor Relations Act. For instance, the NLRA prohibits employers from interfering with concerted activity or discriminating against employees who participate in concerted activity, and it prohibits unions from charging excessive dues or coercing employees into supporting a union.

union authorization card: Doesn't actually have to be a physical card! Rather, it's a written agreement that you sign to show your support for a union.

union busting: Any attempt by company leadership or management to undermine union efforts.

Weingarten rights: Union rights that ensure that unionized workers can have union representation at disciplinary meetings.

wildcat strike: A wildcat strike is any strike that's held without the support or authorization of union leadership.

work stoppage: An umbrella term for all situations in which employees stop working as a form of protest. While a strike is a type of work stoppage, the two terms are often distinguished by time frame — a "work stoppage" is considered a step down from a strike when it is used to describe an instance of temporary work cessation for a defined period of time.

RESOURCES

Resources are readily available to help kickstart new unionization efforts in the video game industry. The following groups have been recommended by active union organizers in the industry, and are presented in alphabetical order.

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) — a federation of various national and international labor unions

Campaign to Organize Digital Employees – Communications Workers of America (CODE-CWA) — a network of union organizers who work in the technology, video game, and digital industries

Game Workers Solidarity — a digital archive documenting the history of the video game industry's labor movement

Game Workers of Southern California — a local, volunteer-led organization centered on supporting union efforts by Californians

Game Workers Unite — an international volunteer group supporting union efforts in the video game industry

National Labor Relations Board — an independent agency of the U.S. federal government that enforces labor law, including the National Labor Relations Act

Because resources may change over time, we've created this QR code, which links to a regularly updated list on Polygon's website:



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